



THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS®



**Joint Environment Committee Hearing
February 9, 2008**

Testimony of

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**In Support of
SB 856 ("Puppy Trace Back Bill")**

and

SB 994 (Leghold Traps)

Senator Meyer, Representative Roy, fellow Environment Committee members – thank you for this opportunity to address the committee. I represent the thousands of Connecticut supporters of the American Society for the Prevention of Cruelty to Animals (ASPCA) and the growing membership of Connecticut Votes for Animals (CVA), who are deeply concerned about many of the issues before the committee today.

I am here, in particular, regarding SB 856 ("Puppy Trace Back Bill") and SB 994 (Leghold Traps).

SB 856 ("Puppy Trace Back Bill")

This bill is crucial to correct deficiencies in current Connecticut law and regulations, which require only that, vis a vis the origin of a dog, (1) pet stores maintain on file the identity of the person or entity from whom/which the store purchased the dog (CR § 22-344-25c) – unfortunately for the consumer, this could be the dealer, not the breeder – and (2) pet stores post

the dog's state of birth (CS § 22-344d). However, an informed public – whether or not the purchaser – should know the identity of the breeder, as well as any person or entity with custody of that dog (should apply equally to cats) from birth until sale in Connecticut.

I am, in addition, recommending that (1) pet shops be prohibited from purchasing dogs or cats for resale from any breeder or other person or entity not in possession of a USDA license and any applicable state license, and (2) a penalty for violation be assessed per day (beginning 48 hours after a charge so that the fine does not merely become a cost of doing business, and pet stores feel compelled to provide the required information to the public.

SB 994 (Leghold/Body-Crushing Traps)

Both the ASPCA and CVA strongly oppose the use of leghold and body-crushing traps to capture wild animals. Notably, leghold traps have been banned by over eighty countries. We are also deeply concerned by the maiming and/or killing of humans, companion animals, and non-target wildlife that stumble into such traps (*please see the attached portion of the Born Free/Animal Protection Institute incident report chart – will provide the remainder of the 85+ page chart upon request*).

Non-Target Animals & Humans Trapped by Body-Gripping Traps

NOTE: The following is only a partial list (still in progress) of animals and humans trapped. Because non-targets are not required to be reported there is no way to know how many animals are trapped, injured, and/or killed by body-gripping traps throughout the United States and Canada.

Date	Victim(s)	Status	Details of Incident	Type of Trap	Source
c. 12/26/08	Human — adult male	Survived	Malcolm, NE — A bill before the Nebraska state legislature earned a uniquely qualified witness when a Lancaster County Commissioner stepped into a Conibear trap placed in a ditch near his farm. He was wearing good boots and wasn't seriously hurt. But the trap was large enough to catch a coyote or a beaver — even a farmer — and the commissioner couldn't open it with his hands. So he hobbled to his truck for a	Conibear	<u>Lincoln Journal Star</u> , 01/16/09

			crowbar. He reported the incident to the state Game and Parks Commission. The trap's owner could not be traced because the trap did not have an ID number. The commissioner, of course, testified against the bill, which sought to eliminate restrictions and penalties for trapping wildlife in county road rights-of-way.		
c. 12/17/08	Dog — Black Labrador, 2 years old, male	Survived — bruising	Joseph, OR — A local woman's dog was caught in a leghold trap about 90 feet off a popular trail. Although warning signs were posted, the woman ignored them or did not see them. The dog suffered bruising but no lasting damage to the foot. The woman has been served with a violation for taking the trap and plans to take it to court, but the charge will likely be dropped because it would bring unwelcome publicity. The trap was legal, the trapper reported to be a 20-year-old local boy.	Leghold	Personal communication
12/01/08	Dog — German Shepherd, female	Survived — Badly swollen muzzle	Saint John, NB, Canada — A German Shepherd was discovered by the assistant conservation supervisor of the provincial Department of Natural Resources in the Loch Lomond watershed area with her head stuck in a Conibear trap. After freeing the large German shepherd mix, the man quickly took her to the Animal	Conibear	<i>Telegraph-Journal</i> , 12/02/08

			<p>Rescue League shelter. The shelter's executive director said she was surprised the dog survived the ordeal. "The dog's head went into the trap on an angle," she said. "This dog should be dead, it's just fortunate that the head didn't go in straight." The dog has a badly swollen muzzle and seems to be traumatized, but should be able to recover. A veterinarian inspected the dog, and said she should be kept quiet and calm while she heals. The trap was set legally.</p>		
12/01/08	Cat — female — Dixie	Survived — swelling, cut, bruising and broken bones	<p>Cedar Rapids, IA — A neighbor lady had someone set traps to try to catch a fox that had been killing her chickens. This was near homes, within city limits. Dixie was caught in the trap overnight. Veterinarian treatment consisted of x-rays, setting of bones, and a special bandage to draw out an infection, at an cost of \$1,000. Dixie's guardian wrote, "This lady knows there are a lot of outside cats around this area. She's an old lady, good neighbor, I don't know what she was thinking." As of report time, the woman had not been charged.</p>	Leghold	BanCruelTraps online incident report form
11/26/08	Dog — 4-year-old Rottweiler, male — Grizzly	Died	<p>Anchorage, AK — Grizzly was playing with another dog in front of his house while his caregiver was shoveling his driver. Grizzly apparently smelled meat used as</p>	Conibear	<i>Anchorage Daily News</i> , 11/29/08

			<p>bait in a bucket on a neighbor's porch. He was gone just moments, but, all bloody and crazed with pain, came running back with a Conibear 220 trap on his head. Two animal control officers took Grizzly to Pet Emergency but he died in transit. It took four people to get the trap off the dead dog's head. The trap was set illegally. Police are investigating.</p>		
11/17/08	Lynx	Died	<p>Aroostook County, ME — A lynx was found dead in a trap that had been set for other species. The lynx had apparently climbed a tree that was standing inches away from the trap and became ensnared when it reached into the trap.</p>	Conibear	<i>Bangor Daily News</i> , 12/05/08
11/15/08	Dog — Chinook, 55 pounds, male — Rupert	Died	<p>Vernon Hills, IL — A man walked his dog beside the greens of a golf course when he let the dog off his leash. Rupert suddenly darted into the woods. Then the man heard an excruciating howl, and found Rupert "flopping around" with his head in the trap. The trap was tethered to the ground and the man could not get it free. The trap was baited with fish oil. Police responded quickly, but the dog was dead. It took three men to pry the springs open to release Rupert. A police investigation has been inconclusive.</p>	Conibear	<i>Lake County News-Sun</i> , 12/05/08

11/01/08	Dog	Died	<p>Nuns' Island, Montreal, PQ, Canada — Efforts by the borough of Verdun to eradicate troublesome beavers on Nuns' Island have resulted in one dead dog and several angry residents. A Borough spokesperson confirmed that the dog died after getting its head caught in a trap that had been set at the water's edge near two condo buildings. The borough had contracted Nature Action, a group specializing in managing wildlife, which in turn had hired a professional trapper to set four beaver traps. The rodents have been destroying trees along the shoreline at an alarming rate, it was claimed. One resident said that the beavers are not the main threat to the island's trees. "It's fine for the developers to cut down all the trees on the island, but not the beavers. I wish somebody would set a trap for developers," she said.</p>	Conibear	<i>The Gazette (Montreal)</i> , 11/07/08
08/22/08 (found)	Dog — 3-1/2-year-old German shepherd-husky mix, male — Elliot	Died	<p>Mitchell, SD — A family dog was found dead in a Conibear 220 trap about a week after he died. Elliot had managed to uproot the stake securing the trap and struggled about 75 feet before he died. Elliot's caregivers turned the trap over to a Conservation Officer, who submitted the results of his investigation to the state's attorney's</p>	Conibear	<i>Worthington Daily Globe</i> , 09/08/08

			<p>office. Writing to Elliot's caregivers, the owner of the trap said his intent in setting the trap was to protect his garden from scavenging raccoons and that he had no intention of trapping the dog. He also wrote that "allowing a dog to run repeatedly at-large is irresponsible and dangerous" and that the dog "should have been locked up that night." The Conibear trap used had jaws above 8 inches, illegal for use on land in South Dakota. The fine for using the illegal trap is \$126. No court appearance will be required.</p>		
06/17/08	Dog — Dachshund	Survived — swelling, bruising, and "probably some nerve damage"	<p>Newburgh, NY — A dachshund was caught in a steel-jaw leghold trap before being released. The trap was on private property, within a hundred feet of roughly ten dwellings, in a Historical District on Grand Street, a residential section of the city where many children and pets live. No neighbors were notified about the trap, nor was information about the trap posted. The trap was not tagged with identification. In a stroke of irony, the trap was set by the dachshund's guardians, took custody of the dog and never gave feedback. It was reported that the individuals responsible for the trapping were within their legal rights.</p>	Leghold	BanCruelTraps online incident report form

05/17/08	Dog — 11-year-old American Eskimo — Rosie	Died	<p>Kitchener, BC, Canada — A man took his dog, Rosie, out for a hike in the Goat River area, an old logging site north of Kitchener, when Rosie stumbled into a leghold trap. The trap, with its tension set to hold a much larger wolf, snapped shut, crushing the dog's leg. The pain-wracked animal then stepped into another trap, which crushed another leg. Unable to pry either of the traps open, even aided by the adrenaline rush brought on by his companion's frantic response to the pain, the man unwound the attached chains from clumps of bushes and carried Rosie to his vehicle. The dog sunk its teeth into both of his hands on the way. When he arrived at the veterinary clinic his worst fears were confirmed - the legs were so badly damaged that the only compassionate recourse was to have Rosie euthanized. Even the veterinarian couldn't get the traps completely open. The traps had been set as a Ministry of Environment initiative to save the small - there are only 15 left - herd of mountain caribou. A trapper had set "up to a half dozen traps" in the area. A pack of three or four wolves was his target. The traps were all removed immediately after reports were received, and ministry personnel are reassessing the situation. One wolf</p>	Leghold	<i>Creston Valley Advance</i>
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			from the single known pack in the area was trapped and killed before Rosie's tragic death.		
04/30/08 (reported)	Dog — basset hound — Bubba	Died	Juneau, AK — Several dogs were being walked on the Eagle River Trail in Juneau as part of a Doggie Day Care outing. Bubba, who was in the care of the Gastineau Humane Society, and another dog went missing initially during a game of fetch. One came back when called, but Bubba didn't respond. The dog was found the next day right off the trail in a conibear trap.	Conibear	<u>Channel 2 News</u>
04/23/08	Cat — Castor	Died — euthanized	Saanich, BC, Canada — When Castor disappeared Wednesday evening, his caregiver and others tracked the meowing cat to the backyard of a nearby home. They found Castor seriously injured in a Conibear trap, caught by the belly. There were no fractures but there were extensive internal injuries to the organs. After nearly a week in intensive care at the veterinary clinic, Castor was put to sleep on 04/27/08. His caregivers intend to sue the trap owner for Castor's medical expenses of almost \$3,300. The cat died a few days after being taken to a veterinary clinic for treatment. The man was later charged with animal cruelty. An animal protection officer said,	Conibear	<u>Times Colonist (Victoria)</u> , 04/26/08; <u>Times Colonist (Victoria)</u> , 04/28/08

			"Our constable reported to a cat in a conibear trap last year in the same block. The cat survived."		
04/07/08 (reported)	Dog — Golden retriever, female — Ava	Survived	Southern UT — A woman hiker looking for Native American artifacts found a dog caught in a coyote trap. The dog had been there about a day, caught by the left front leg. She freed the dog from the trap and then spent a week and a half trying to track down the dog's family. The dog wasn't wearing a collar, and no one responded to fliers and newspaper ads. Meanwhile, the vets taking care of the dog, now named Ava, thought she would need to lose the injured leg. The woman was not in a position to care for Ava long-term. When it became obvious that nobody would claim Ava, she was taken to Best Friends Animal Society of Kanab, UT, to heal and for later adoption.	Leghold	<u>Best Friends News</u> , 04/07/08
c. 03/24/08	Dog — Hound dog, female	Survived? — left rear leg amputated at hip	Carthage, IL — A dog was found caught in a trap by the local Animal Control warden on 04/07/08. The dog had been in the trap about two weeks, and apparently had tried to chew off her left rear leg to get free. Photos at the pound where she was taken show her leg hanging by just a couple of bones. She was extremely emaciated, dehydrated, with a low heart rate. Surgery	Leghold	Personal communication from caregiver



In Support of
SB 499 (Puppy Lemon Law) and SB 856 (Puppy Trace Back Bill),

Proposed Language:

**ACT CONCERNING PROTECTION OF CONSUMERS WHO PURCHASE
COMPANION ANIMALS**

Section 1. (Effective July 1, 2009). Section 22-344b of the general statutes is repealed and the following is substituted in lieu thereof:

(a) A pet shop licensee or a breeder licensee shall, prior to offering a dog or cat for sale and thereafter at intervals of fifteen days until such dog or cat is sold, provide for examination of such dog or cat by a veterinarian licensed under chapter 384. The licensee shall maintain a record of the veterinary services rendered for each dog or cat offered for sale.

(b) If, within fifteen days of sale, any such dog or cat becomes ill or dies of any illness which existed in such dog or cat at the time of the sale, such pet shop or breeder licensee shall, at the option of the consumer, replace the dog or cat, [or] refund in full the purchase price of such dog or cat and/or reimburse the consumer for treatment of such illness: (1) In the case of illness, upon either return of the dog or cat to the pet shop or breeder, or treatment of such illness by a veterinarian selected by the consumer and the receipt of a certificate from a veterinarian licensed under chapter 384 who is selected by the consumer, stating that the dog or cat is ill from a condition which existed at the time of sale, and (2) in the case of death, the receipt of a certificate from a veterinarian licensed under said chapter who is selected by the consumer stating that the dog or cat died from an illness which existed at the time of sale. Any costs for services and medications provided by a licensed veterinarian incurred by the consumer for such treatment or for such illness shall be reimbursed to the consumer by such licensee in an amount not to exceed [two hundred] two thousand dollars and, in the event of the death of the cat or dog, the purchase price of such animal. The presentation of such certificate shall be sufficient proof to claim reimbursement or replacement and the return of such ill or deceased dog or cat to the pet shop shall not be required. No such refund or replacement shall be made if such illness or

death resulted from maltreatment or neglect by a person other than the pet shop or breeder licensee, or his or her agent or employee.

(c) A licensee who violates any provision of this section shall forfeit to the state a sum not to exceed five hundred dollars for each animal which is the subject of the violation in addition to any sum owed to purchaser under subsection (b). The Attorney General, upon complaint of the commissioner, may institute a civil action in the superior court for the judicial district of Hartford to recover the forfeiture specified in this section.

Section 2. (Effective July 1, 2009). Section 22-354 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Any dog or cat imported into this state shall be accompanied by a certificate of health issued no earlier than thirty days prior to the date of importation by a licensed, graduate veterinarian stating that such dog or cat is free from symptoms of any infectious, contagious or communicable disease, and that such dog or cat, if three months of age or older, is currently vaccinated for rabies by a licensed veterinarian. A copy of such health certificate shall be forwarded promptly to the commissioner from the livestock sanitary official of the state of origin. Any dog or cat originating from a rabies quarantine area must have permission of the State Veterinarian prior to importation into this state. No person, firm or corporation shall import or export for the purposes of sale or offering for sale any dog or cat under the age of eight weeks unless such dog or cat is transported with its dam and no person, firm or corporation shall sell within the state any dog or cat under the age of eight weeks. Any person, firm or corporation violating the provisions of this [section] subsection or bringing any dog or cat into this state from an area under quarantine for rabies shall be fined not more than one hundred dollars or imprisoned not more than thirty days or both.

(b) Any dog or cat sold or offered for sale by a pet shop licensee located in this state shall be accompanied by a certificate of origin identifying the name, address, and telephone number of any person who had custody of such dog or cat at any time from the date of birth of such animal until the sale of the animal in Connecticut by the licensee. Such certificate shall be posted in a conspicuous manner not more than ten feet from where such dog or cat is displayed for sale. A copy of such certificate shall also be provided to the purchaser of such dog or cat at the time of sale and, within forty-eight hours of sale, filed with the Department of Agriculture. No pet shop licensee may purchase a dog or cat for resale from a breeder or other person, firm or corporation not in possession of a current license with the United States Department of Agriculture and any applicable state agency. Any person, firm or corporation violating the provisions of this subsection shall be fined not more than one hundred dollars or imprisoned not more than thirty days or both.

(c) Beginning forty-eight hours after a charge of violating this section, each day that a pet shop licensee fails to correct the cited deficiencies shall constitute a separate offense.



In Support of
SB 499 (Puppy Lemon Law) and SB 856 (Puppy Trace Back Bill),

Summary of Proposed Language:

**ACT CONCERNING PROTECTION OF CONSUMERS WHO PURCHASE
COMPANION ANIMALS**

Subsection 1(a) – Requires that a breeder licensee, like a pet shop licensee, provide for veterinary examination of dogs and cats for sale at fifteen day intervals.

Subsection 1(b) –

- In all cases (i.e., whether a dog or cat is sick or dies from an illness he/she had at the time of sale), requires pet shop and breeder licensees to honor the assessment of a veterinarian selected by the consumer.
- Requires pet shop and breeder licensees to reimburse consumers for veterinary treatment – whether or not the consumer returns the dog or cat, or the dog or cat dies – in an amount not to exceed \$2000 (instead of \$200).
- In the event a dog or cat dies, requires pet shop and breeder licensees to reimburse the consumer for the animal's purchase price.

Subsection 1(c) –

- Clarifies that the specified penalty is in conjunction with any reimbursement owed under subsection (b).

Subsection 2(a) – Technical revision to conform subsection to addition of subsection (b).

Subsection 2(b) –

- Requires that any dog or cat sold by a pet shop licensee be accompanied by a certificate of origin identifying the name, address, and telephone number of any person who had custody of such dog or cat at any time from the date of birth of such animal until the sale of the animal in Connecticut by the licensee.
- Requires that the certificate of origin be posted in a conspicuous manner not more than ten feet from where such dog or cat is displayed for sale.
- Requires that the certificate of origin be provided to the purchaser of a dog or cat the time of sale.
- Requires that the certificate of origin be filed with the Department of Agriculture within forty-eight hours of sale of the dog or cat.
- Prohibits a pet shop licensee from purchasing a dog or cat for resale from a breeder or other person, firm or corporation not in possession of a current license with the United States Department of Agriculture (USDA) and any applicable state agency.
- Imposes a penalty of not more than one hundred dollars, and not more than thirty days imprisonment, per violation.

Subsection 2(c) – States that beginning forty-eight hours after a charge of violating this section, each day that a pet shop licensee fails to correct the cited deficiencies shall constitute a separate offense.